

**FUNERAL DIRECTORS EXAMINING BOARD MEETING  
MINUTES  
SEPTEMBER 16, 2003**

**PRESENT:** Bonnie Gift, J.C. Frazier, Roy Pfeffer, Rick Unbehaun, Connie Ryan

**STAFF PRESENT:** Jerry Lowrie, Bureau Director; Jacquelynn Rothstein, Legal Counsel; Pat Schenck, Program Assistant and Division of Enforcement staff.

**GUESTS:** Mark J. Krause, Krause Funeral Homes  
Erin Longmire, Funeral Service Alliance of Wisconsin (FSA)  
Christine Jacob, Krause Funeral Homes  
Barbara Schuler, WI Technical College System  
Mark Paget, Wisconsin Funeral Directors Association

**CALL TO ORDER**

Roy Pfeffer, Chair, called the meeting to order at 9:35 a.m. A quorum of 5 members was present.

**AGENDA**

**Additions to agenda:**

- Item 6. b. "Director in Charge of more than one Funeral Home

**MOTION:** Rick Unbehaun moved, seconded by Bonnie Gift, to approve the agenda with addition. Motion carried unanimously.

**APPROVAL OF MINUTES (08/05/03)**

**Amendments to Minutes:**

- Page 1, Correct Connie Ryan's name – reverse order of name.
- Page 3, Correct spelling of Jacquelynn's name.

**MOTION:** J. C. Frazier moved, seconded by Rick Unbehaun, to approve the minutes of August 5, 2003 as amended. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

Funeral Directors Examining Board  
September 16, 2003 Minutes

## **JERRY LOWRIE, BUREAU DIRECTOR**

Jerry Lowrie, Bureau Director of Business and Design introduced himself to the Board and gave a summary on his background and experience in state government and the private sector. Introductions were made around the table.

## **BOARD ROSTER**

The Board requested that Judy Mender's and Pat Schenck's name, phone number and E-mail address be added to the Board Roster.

## **MEETING DATES FOR 2003**

Next meeting November 11, 2003.

## **MEETING DATES FOR 2004**

2004 meeting dates to be finalized in October. Funeral Directors requested no cut backs on meeting dates.

## **TO-DO LIST**

Noted.

## **SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES**

Noted.

## **TRAVEL**

## **INTERNATIONAL CONFERENCE OF FUNERAL SERVICES EXAMINING BOARDS, APRIL 23-25, 2004, ST. LOUIS MO.**

**MOTION:** J. C. Frazier moved, seconded by Bonnie Gift, that Rick Unbehaun represents the Board at the International Conference of Funeral Services Examining Boards on April 23-25, 2004 at St. Louis Mo. with J. C. Frazer as an alternate and Connie Ryan as the 3<sup>rd</sup> alternate. Motion carried unanimously.

Funeral Directors Examining Board  
September 16, 2003 Minutes

## **LEGISLATIVE UPDATE**

### **REVIEW CREMATION BILL LRB 1045 – JACQUELYNN ROTHSTEIN**

The Board reviewed and discussed the final draft of the Cremation Bill LRB 1045. An Act to amend 157.055 (2) (intro.) and to create 15.407 (8), 440.08 (2) (a) 24m and subchapter VI of chapter 440 (precedes 440.70) of the statutes; relating to: regulating the cremation of human remains, creating a Crematory Authority Council, granting rule-making authority, and providing penalties. This bill creates requirements for authorizing the cremation of human remains, conducting cremations, and disposing of cremated human remains. This is new language from this year's Budget Bill's response to the September 11<sup>th</sup> incident in New York City. The Governor can override the Bill in a state of emergency. The Governor has authorized that the Department of Health & Family Services take charge of crematory issues should an emergency occur.

**MOTION:** Rick Unbehaun moved, seconded by J. C. Frazier, to approve the final draft of the Cremation Bill LRB 1045 and forward to Chris Klein to seek a sponsor for its introduction in the legislature. Motion carried unanimously.

### **LEGAL COUNSEL – JACQUELYNN ROTHSTEIN**

#### **EMBALMING IN PLACES OTHER THAN A LICENSED FUNERAL HOME-HFS 136.03(2)**

Jacquelynn Rothstein reported on the status of 136.03(2) itemized listing of places where embalming can occur. Ms. Rothstein forwarded the Board's request to Health and Family Services. They agreed to pursue this issue. The 136.03 (2) rule change will not take effect until 2004. Ms. Rothstein will send Health and Family Services a second request. The Board will discuss this further at the December 2, 2003 Board meeting.

#### **FUNERAL DIRECTORS IN CHARGE OF MORE THAN ONE FUNERAL HOME**

Erin Longmire, Funeral Service Alliance of Wisconsin (FSA) reported on the status of pending legislation. Mark Paget, Wisconsin Funeral Directors Association will be bringing the final draft before his Board of Directors on September 30, 2003. As soon as the meeting is finished they will start moving on this legislation. When the Board of Directors approves the final draft on September 30, 2003 they will be seeking sponsors. The Board will discuss this issue at the December 2, 2003 Board meeting.

## **CONTINUING EDUCATION ISSUES**

## **STATUS REPORT – RICK UNBEHAUM, BOARD MEMBER**

The Board reviewed a list of Continuing Education Courses. The Board requested that a notice be printed in the Regulatory Digest Newsletter to remind credential holders the categories required for continuing education and the number of hours required prior to renewing their credential.

### **EXAMINATION ISSUES**

None.

### **BOARD MEMBER ACTIVITY**

Connie Ryan thanked the Department staff for the two hour orientation of the Department. Other Board members reported on personal activities they've been participating in.

### **PRACTICE QUESTIONS**

None.

### **NEW BUSINESS**

None.

## **PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT**

### **WESTON H. ANDERSON (MINNEAPOLIS)**

Jack Temby, DOE Attorney, presented the proposed stipulation in the matter concerning Todd S. Newcomer (Sun Prairie).

## **OTHERS THAT MAY BE SUBMITTED AFTER PRINTING OF AGENDA**

None.

### **CLOSED SESSION**

**MOTION:** Bonnie Gift moved, seconded by Rick Unbehaun, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary

data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.  
Roll Call Vote: Rick Unbehaun-yes; J.C. Frazier-yes; Bonnie Gift-yes; Roy  
Pfeffer-yes; Connie Ryan-yes. Motion carried unanimously.

Open Session recessed at 10:45 a.m.

The Board deliberated on the Monitoring Report, the Case Status Report and Case Closings, Proposed Stipulations, Proposed Administrative Warnings, and Pending Applications.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Rick Unbehaun moved, seconded by J. C. Frazier, to reconvene into Open Session at 11:39 a.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

#### **MONITORING REPORT**

##### **JUAN BARQUET**

**MOTION:** J. C. Frazier moved, seconded by Rick Unbehaun, to grant the request for a one year stay of suspension for Juan Barquet. Motion carried unanimously.

##### **TODD MANN**

**MOTION:** Connie Ryan moved, seconded by J.C. Frazier, to grant the request for a three month stay of suspension for Todd Mann. Motion carried unanimously.

#### **CASE CLOSINGS**

##### **03 FDR 010**

**MOTION:** Rick Unbehaun moved, seconded by J. C. Frazier, to close case **03 FDR 010** for no violation. Bonnie Gift abstained. Motion carried.

#### **PENDING APPLICATIONS**

##### **DIANGELO WRAGG**

Funeral Directors Examining Board  
September 16, 2003 Minutes

**MOTION:** Rick Unbehaun moved, seconded by J. C. Frazier, to grant an Apprentice Funeral Director Permit to Diangelo Wragg with Leon L. Willaimson Funeral Home, 2157 N. 12<sup>th</sup> St., Milwaukee, WI 53205. Motion carried unanimously.

#### **APPLICATIONS RECEIVED AFTER MAILING OF AGENDA**

None.

#### **STIPULATIONS**

##### **TODD S. NEWCOMER**

**MOTION:** Connie Ryan moved, seconded by Bonnie Gift, to accept the Stipulation, Final Decision and Order in the matter concerning Todd S. Newcomer (Sun Prairie). Motion Carried unanimously.

#### **DELIBERATION ON PROPOSED ADMINISTRATIVE WARNINGS**

None.

#### **ADJOURNMENT**

**MOTION:** Rick Unbehaun moved, seconded by Bonnie Gift, to adjourn the meeting at 12:10 p.m. Motion carried unanimously.

#### **Agenda items for November 11, 2003**

- Embalming in Places other than a Licensed Funeral Home HFS 136.03(2) Jacquelynn Rothstein:
- Comments from the Public
- Add DRL Staff Directory after Roster
- Funeral Directors in Charge of more than one Funeral Home

**NEXT MEETING: NOVEMBER 11, 2003**